

REMARKS

Claims 1-44 are pending in this application. Claims 22-44 were withdrawn by the Examiner. Claims 1-21 were rejected under 35 USC 102.

5 Claims 1-21 are patentable under 35 U.S.C. 102 because all the limitations are **not** taught by the cited art. "[F]or anticipation under 35 U.S.C. 102, the reference must teach every aspect of the claimed invention either explicitly or impliedly." MPEP 706.02 IV.

10 Claims 1-21 are patentable over Keyser et al. because Keyser et al. does not teach the "solder matrix" of the claimed invention. In paragraph 25 and throughout Keyser et al. teaches a solder paste 20 with solder spheres 22. (There is an apparent typo in paragraph 25 identifying the solder paste as reference number 22 rather than 15 20 as stated in the first sentence of paragraph 23 and throughout.)

 In paragraph 23, Keyser et al. clearly defines solder paste as being solder spheres suspended in a matrix of flux material. "As is known, a typical solder paste may include a plurality of solder spheres 22 suspended in a **matrix of flux material**." Keyser et al., 20 para. 23 (emphasis added). As such, Claims 1-21 are patentable over Keyser et al. under 35 U.S.C. 102.

 None of the references teach solder preform having a **solder matrix** as claimed. Further, the dependent claims contain further patentable matter alone and in combination with the base claim and 25 any intervening claims.

 In addition to the allowance of Claims 1-21, the restriction of Claims 22-44 should be reconsidered and withdrawn in view of the below rationales.

Group II Claims

30 In view of the above discussion with reference to the "solder matrix" limitation above, Applicant respectfully requests

reconsideration by the Examiner of his position with respect the original restriction into Group I and Group II, and immediate allowance of Claims 22-44. Applicant respectfully points out that the "solder matrix" limitation is also found in Claims 22 and 34. Claim 22 claims "forming a solder preform comprising **a solder matrix** having the microparticles embedded therein." Claim 34 claims "forming a solder preform comprising **a solder matrix** having embedded microparticles."

This supports the related nature of the claims and that examination of all the subgroup claims can be made without serious burden. "If the search and examination of all the claims in an application can be made without serious burden, the examiner must examine them on the merits, **even though they include claims to independent or distinct inventions.**" MPEP 803 (emphasis added). As such, the Applicant points out that an immediate withdrawal of the subgroup restriction requirement is required, and respectfully requests examination of all the claims in the application.

Further, the Applicant requests rejoinder based on the above rationales.

Therefore, in accordance with the above rationales Claims 1-44 are in condition for immediate allowance. No new matter has been added.

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Respectfully submitted,

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